

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

|                   |   |              |
|-------------------|---|--------------|
| JORGE CLAUDIO     | : | CIVIL ACTION |
| Plaintiff,        | : | NO. 09-4378  |
|                   | : |              |
| v.                | : |              |
|                   | : |              |
| MGS MACHINE CORP. | : |              |
| Defendant.        | : |              |

**ORDER**

**AND NOW**, this 28<sup>th</sup> day of April, 2011, upon consideration of Plaintiff's Motion to Dismiss (Doc. #57), Defendant's Response (Doc. #69), Third-Party Defendant's Response (Doc. #70), and Plaintiff's Reply (Doc. #72), it is **ORDERED** that Plaintiff's Motion (Doc. #57) is **DENIED**.

s/Anita B. Brody

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ANITA B. BRODY, J.

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